

Project Readiness

(a) Project Schedule and Environmental Risk

i. Detailed Project Schedule

The table below outlines all major milestones of the Project for both segments. All grant funds will be obligated on or prior to March 14, 2026, six months ahead of the September 30, 2026 deadline. For the segment East of Frenchville, construction is expected to begin April 5, 2025, well under 18 months after the Project is awarded (March 5, 2025). For the segment West of Frenchville, construction is expected to begin on April 15, 2026, well under 18 months after the project is scheduled to be awarded (March 15, 2026).

As outlined in the table below, due to the level of project readiness, any unexpected delays will not put the funds at risk of expiring before they are obligated. All real property and right-of-way acquisition will be completed in a timely manner in accordance with legal requirements.

Table 1: Project Schedule

| Milestone | Date | |
|-----------------------|--------------------|--------------------|
| | W. of Frenchville | E. of Frenchville |
| Project Kickoff | July 12, 2015 | June 30, 2014 |
| NEPA Complete | October 6, 2023 | January 5, 2024 |
| PS&E Submission | January 12, 2026 | January 6, 2025 |
| Advertise | February 13, 2026 | February 2, 2025 |
| Begin Construction | April 15, 2026 | April 5, 2025 |
| Construction Complete | September 26, 2030 | September 16, 2029 |

Preliminary design for the segment West of Frenchville was completed in July 2022 and has identified roadway and culvert configurations that have the potential to meet both the goals of the Project and the needs of the communities. A more refined analysis of these solutions is now being completed to establish a preferred design solution for the Project. Preliminary Design for the segment East of Frenchville was completed in November 2020.

Following preliminary design, the Project will be advanced to an approximate 30 percent design level, including identification of Project impacts, by August 2023, so that environmental approvals can commence. The final design schedule for the project has been developed to support advertisement for construction in West of Frenchville by February 2026 and East of Frenchville by February of 2025.

Reconstructing the road is expected to begin in the spring of 2026 with construction ending winter 2030.

iii. Required Approvals

MaineDOT has initiated communication with environmental agencies and interested parties. Preliminary baseline data collection to identify natural and cultural resources potentially affected by the Project is complete. This information will be refined during design and will be used to

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avoid and minimize impact while meeting the purpose and need of the Project.

- **National Environmental Policy Act (NEPA):** The (NEPA) process will inform and be incorporated into design efforts. While the Project components have cumulative benefits being completed together, the two sections of US 1 reconstruction have independent utility and will be classified separately as Categorical Exclusions in accordance with 23 CFR 771.117(c) (26). MaineDOT is currently reviewing the Project and preparing NEPA documentation in accordance with *Programmatic Agreement between the Federal Highway Administration, Maine Division and the Maine Department of Transportation Regarding the Processing of Actions Classified as Categorical Exclusions for Federal-Aid Highway Projects*. Should any issues arise, MaineDOT will work directly with the respective agencies to quickly resolve them. The anticipated date for NEPA completion for the segment West of Frenchville is October 6, 2023 and East of Frenchville is January 5, 2024.
- **Historic and Archeological:** MaineDOT and FHWA have initiated and will complete the Section 106 process for both sections in accordance with the *Programmatic Agreement among Federal Highway Administration, Federal Transit Administration, the Advisory Council on Historic Preservation, the Maine State Historic Preservation Officer, and Maine Department of Transportation Regarding Implementation of the Federal Aid Highway and Federal Transit Programs in Maine*.

Identification of historic resources is complete. MaineDOT's Historic Coordinator has completed architectural survey of the project area. Two properties along US 1 were determined eligible for listing on the National Register of Historic Places. The design team will work to avoid and minimize impacts and resolve any adverse effects to these properties in consultation with the Historic Coordinator and the Maine Historic Preservation Commission as outlined in 36 CFR 800 and the MaineDOT Section 106 Programmatic Agreement. The properties are:

- 1267 Frenchville Road, Fort Kent, ME
- 1583 Frenchville Road, Fort Kent, ME

- **Section 4(f) of the Department of Transportation Act:** The MaineDOT Cultural Coordinator has reviewed the Project to identify potential Section 4(f) resources. The project, as currently proposed, will require the transportation use of one recreational property protected by Section 4(f); the Saint John River Boat Launch. The proposed action would require the use of approximately 1,832 square feet for temporary construction rights for driveway grading, approximately 3,162 square feet for a permanent drainage easement for culvert replacement, and approximately 2,195 square feet for a permanent slope easement for slope stabilization. This action does not constitute a net adverse effect to the activities, features, or attributes that qualify the resource for protection under Section 4(f). On April 14, 2021, FHWA Maine Division concluded that the transportation project is properly determined to have a de minimis impact on the Saint John River Boat Launch. The National Register-Eligible properties listed above are protected by Section 4(f) of the U.S. Transportation Act. The design

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team will work to avoid and minimize use of Section 4(f) properties.

- **Endangered Species Act (ESA) and Essential Fisheries Habitat (EFH):** The Project is not located within designated Essential Fish Habitat. MaineDOT has identified the Federal Endangered Species and EFH (where applicable) within the Project areas.

The Project is located within the range of the federally threatened Northern Long-Eared Bat. MaineDOT anticipates that the Project may affect, but not adversely, the Northern Long-Eared Bat. The Project will be eligible for Streamlined Section 7 Consultation pursuant to the U.S. Fish and Wildlife Service Northern Long-Eared Bat 4(d) Rule.

The Project is also location within the range of the federally listed (DPS) Canada Lynx. Informal Section 7 consultation with U.S. Fish and Wildlife Service regarding potential effects to Canada Lynx will be required. MaineDOT anticipates that the Project may affect, but not adversely, Canada Lynx.

Federally listed Furbish Lousewort is located in the Project vicinity but not within the Project area. MaineDOT anticipates that the Project will have No Effect to Furbish Lousewort.

MaineDOT and FHWA will coordinate with federal agencies during Project design to avoid and/or minimize effects to ESA species and to complete the required consultations in accordance with the Project schedule.

- **Section 404 Clean Water Act Permit (U.S. Army Corps of Engineers):** Freshwater wetland impacts are expected in order to perform the required work. MaineDOT will avoid and minimize temporary and permanent wetland impacts to the extent practicable. MaineDOT anticipates that wetland impacts and any in-water work will be eligible for Category 2 Permits under the Maine Programmatic General Permit. Use of In-lieu fee mitigation payments to the Maine Natural Resources Compensation Program will streamline compensatory mitigation for unavoidable wetland impacts.
- **Natural Resources Protection Act (Maine Department of Environmental Protection):** Wetland and stream impacts are regulated by the Maine Natural Resources Protection Act. MaineDOT anticipates that wetland and stream impacts associated with the Project will be eligible for Permit-By-Rule Chapter 305, Section 11, which is a streamlined permit process for State Transportation Facilities.
- **Public Engagement:** MaineDOT held a virtual public outreach meeting for the Frenchville Project in June 2021. MaineDOT is providing on-demand virtual meetings in lieu of in-person meetings featuring on-demand video presentations and other documentation describing the Project. This has allowed these important public meeting to continue safely in the wake of the COVID-19 pandemic.
- **State and Local Approvals:** This Project is included in the Statewide Transportation Improvement Program (STIP) and is consistent with MaineDOT's long range plan. It can

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be found in *Maine Department of Transportation–Statewide Transportation Improvement Program 2023-2024-2025-2026* dated May 2, 2023 and available online at <https://www.maine.gov/mdot/stip/>. The document is searchable by the Project’s WIN numbers, 022656.00 (west of Frenchville) and 022657.00 (east of Frenchville), located on pages 50 and 51, respectively.

iii. Assessment of Project Risks and Mitigations

During the feasibility study and SEIS processes, numerous risks were contemplated but each has a comprehensive mitigation strategy. The table below outlines the identified project risks and mitigation strategies:

| <i>Project Risks</i> | <i>Mitigation Strategy</i> |
|---|---|
| Environmental Permitting/Restriction <ul style="list-style-type: none"> Federally Endangered Canada Lynx | Minimize in-water work <ul style="list-style-type: none"> Collaborative agreements with MaineDOT, USFWS, USACE, FHWA, and MTA under the Endangered Species Act through a process that expedites endangered species consultations and aims to meet both wildlife and project goals. Choose a final design that minimizes impacts to Canada Lynx. |
| National Register Eligible Properties protected under Section 106 | <ul style="list-style-type: none"> Design will avoid and minimize permanent or temporary impacts to these properties. |
| Historic properties and St. John River Boat Launch protected by Section 4(f) of the U.S. Department of Transportation Act | <ul style="list-style-type: none"> Design will avoid and minimize permanent or temporary impacts to these properties. |
| Wetland impacts | <ul style="list-style-type: none"> Wetland impacts will be avoided and minimized. Use of In-lieu fee mitigation payments to the Maine Natural Resources Compensation Program will streamline compensatory mitigation for unavoidable wetland impacts |

(b) Technical Capacity Assessment

MaineDOT is a cabinet-level state agency with primary responsibility for statewide transportation by all modes of travel. MaineDOT employs approximately 1,600 people and expends or disburses more than \$1 billion per year, including federal, state, and local funds.

i. Experience with Federal Funds

MaineDOT is an accomplished, experienced, and responsible recipient of past successful FASTLANE, TIGER, INFRA, and BUILD grants among many others and can be relied upon to fully fund and commence the Project well in advance of the obligation date, and to complete the Project well in advance of the completion date requirement without risk. Annually MaineDOT expends or disburse more then \$675 million including Federal, state, and local fund.

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ii. Experience Completing Projects with Similar Scope

MaineDOT is very experienced in delivering projects with a similar scope. Every year multiple projects are completed with similar scopes and many more are added through the annual STIP and Work Plan process. The largest and most heavily used component of Maine's transportation system is its 8,800-mile, state-jurisdiction highway network. Due to this, MaineDOT has completed hundreds of projects addressing many of the elements within this Project including highway construction and rehabilitation, highway and safety spot improvements, and bike lanes.

iii. Resources to Deliver the Project

MaineDOT is experienced with road replacements of this magnitude and larger, and plans to complete construction by 2030. Currently, MaineDOT's three-year Work Plan directs nearly \$2.2 billion to highway and bridge capital projects, including the following:

- 302 bridge projects (estimated cost: \$706 million).
- 1,178 miles of preservation paving (estimated cost: \$575 million).
- 271 miles of highway construction and rehabilitation (estimated cost: \$475 million).
- 264 highway and safety spot improvements (estimated cost: \$190 million).
- 2,073 miles of Light Capital Paving (LCP) (estimated cost: \$116 million).

iv. Minimal or No Incomplete ROW Acquisition

There will be minimal ROW acquisitions related to this project and no grant funds will be used for this activity.

v. Compliance With All Applicable Federal Requirements

The Project will comply with all applicable Federal requirements including but not limited to Buy America provisions, ADA regulations, and Civil Rights requirements. In accordance with Title VI of the Civil Rights Act of 1964 and other authorities, MaineDOT is committed to ensuring that the fundamental principles of equal opportunity are upheld in all decisions involving our employees and contractors/consultants, and to ensuring that the public-at-large is afforded access to our programs and services. To that end, no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MaineDOT program or activity on the grounds of race, color, or national origin. MaineDOT will work with staff, sub-recipients, contractors and service beneficiaries to promote awareness for the provisions of Title VI and the responsibilities associated with that Act.